

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number:  
0100/0091



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re Application of: David MacLEAN

Application Number:  
09/550,049

Filed:  
April 14, 2000

For: SAFETY DEVICE FOR USE WITH A VIAL

Group Art Unit:  
3767

Examiner:  
Gray, Phillip A.

Applicant requests reinstatement of the appeal and hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated May 24, 2006, rejecting the following claims: 1-6 and 22-27.

\$330.00 was paid for previous the Notice of Appeal filed on February 20, 2004. The fee for this Notice of Appeal (37 CFR 1.17(b)) should therefore be \$220.00 (\$500-\$330)

- ☒ The Commissioner is hereby authorized to charge the fee of \$220.00 for this Notice of Appeal. (MPEP 1204.01)
- ☒ The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account 50-0501. A duplicate copy of this Notice is attached.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.
- ☒ In the event that extensions of time under 37 CFR 1.136(a) are required and are not otherwise provided for herewith to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Respectfully submitted,

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Date: Aug 25, 2006

(Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (PTO/SB/31))

1251-120<sup>th</sup>  
1 month